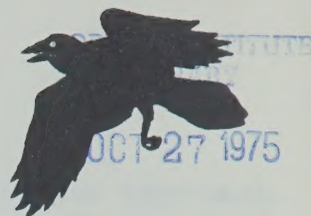




YUKON NATIVE BROTHERHOOD

Box 4252,
Whitehorse, Yukon.



x - 049 - 8 - 346

phone (403) 667-4491

Our File No. _____

Your File No. _____

February, 1973

Dear Sir:

Attached please find a copy of the Summary of our Land Claims Position Paper, as well as a copy of the Position Paper itself which is entitled Together Today For Our Children Tomorrow.

The Yukon Indian people have been working on this Position Paper for the past several years.

In February, 1970, the Yukon Native Brotherhood became registered under the Yukon's Societies Ordinance. At this time the Yukon Indian people realized that their desire to achieve a just land claims settlement had been greatly enhanced by the creation of an organization that was founded on unity and common cause.

Three years later in January, 1973, the twelve Yukon Indian Chiefs met in Whitehorse, at the Yukon Indian Centre, to prepare and endorse the final draft of what they feel is a just and fair approach to the Land Claims issue.

It is this final draft that you soon will be reading. I hope that you will try to be fair to our presentation of our ideas. Try to remember that our culture is the culture of the Yukon Indian people. Please realize that we recognize and accept the unavoidable contact, and its resulting changes, of the Whiteman's cultures.

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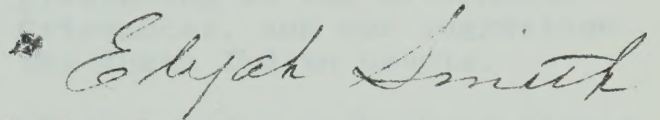
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We feel that our approach to land claims is an approach that will enable us to adjust to these many new ways. We feel that our approach will provide a better and a good future for our children. We are confident in not only ourselves, but also we are confident that the Canadian people will be willing to allow us to participate as equals by supporting this Position Paper.

It is with honor and with traditional humility that I have the privilege of forwarding to you, on behalf of the Yukon Indian people and their respective Chiefs, a copy of our Land Claims Paper.

Any comments that you have on our Paper will be most appreciated.

Yours sincerely,

A handwritten signature in cursive script that reads "Elijah Smith". The signature is written in dark ink and is positioned above the printed name and title.

Elijah Smith,
Chief

ES:crm

TOGETHER TODAY FOR OUR CHILDREN TOMORROW

A Summary

The Yukon Native Brotherhood is presenting to the Government of Canada this Statement of our Grievances, and our suggestion about a Settlement on behalf of the Yukon Indian people.

The Yukon Native Brotherhood has been meeting with their people for several years, to find out what kind of a settlement we feel will be "fair and just" to both our people and to our White Brothers. Many of our people feel that our grievances are so great that there is no way we can be compensated for what has happened to us. This, we ask you to try to understand and to respect.

Just as the Gold Rush changed the way of life of the Indian people, now we see the mines doing the same thing.

Now in 1973, the only village to escape the Whiteman's rush to get rich at the expense of the Indians is Old Crow, and this is changing every day. The people of Old Crow are scared of the changes the pipeline will bring. They don't want the same thing happening to them as happened to the other Yukon Indian Villages.

In 1973 the picture of the Yukon Indians is not a pretty one. The Yukon Indian people are not a happy people. Both the Whiteman and the Indian are becoming more and more disgusted with each other. The communications gap, the social gap, the economic gap - all these are widening.

Many Indians look at what the Whiteman has done to destroy and pollute lakes and rivers and wonder what will happen to the birds, fish and game. We wonder how anyone will be able to know what effect the Pipeline and other industrial projects will have on the birds, fish and game before they are built. We feel that you are going ahead to build the pipeline anyway, regardless of the harm it will do.

The phrase "Economic Development" describes to the Yukon Indian people what we once had, but no longer have. In nearly all our communities the economy is controlled by the White people.

Before 1948, the Yukon Indian people were economically independent. Now, over half our families are on welfare, and the number receiving some kind of assistance has been as high as eighty percent.

There can be jobs created which would be meaningful to Indian people. This is one of the most important plans for our Settlement. At present, most jobs are what we call "White" jobs.

In many cases, government programs are the problem - not the people administering them. If the idea behind a program is wrong then no amount of money or people can make it work. Solutions to Indian problems must be found within the framework of our culture. You cannot know someone else's culture - you can only know your own. This is why CONTROL and RESPONSIBILITY over social programs for Yukon Indians must be placed in the hands of the Yukon Indian people.

This Settlement is for our children, and our children's children, for many generations to come. All our programs and the guarantees we seek in our Settlement are to protect them from a repeat of today's problems in the future. You cannot talk to us about the "bright new tomorrow", when so many of our people are cold, hungry and unemployed. A "bright new tomorrow" is what we feel we can build when we get a fair and just Settlement.

When the treaties in the prairies were signed, they were a plan to help the Indian adjust to the Whiteman's way of life. It was an attempt to change him from a hunter to a farmer. We all know it didn't work. The Indian did not understand what it was all about. This time it is different because the Government of Canada has asked us to say what our position is.

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Before 1945, the Yukon Indian people were economically independent. Now, over half our families are on welfare, and the number receiving some kind of assistance has been as high as eighty percent.

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In many cases, the Indian people are not the ones who are doing the work. They are just the ones who are doing the work. This is one of the most important things for our Settlement. At present, most jobs are what we call "White" jobs.

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When the treaties in the past were signed, they were a plan to help the Indian adjust to the White man's way of life. It was an attempt to change him from a hunter to a farmer. He still knows it didn't work. The Indian did not understand what it was all about. This time it is different because the Government of Canada has asked us to say what our position is.

There were never any wars between Indian and White in the Yukon.

There were no treaties signed in the Yukon.

The first Indian Act was designed to protect the Indian from the Whiteman. This concept was never applied in the Yukon.

The objective of the Yukon Indian people is to obtain a Settlement in place of a treaty that will help us and our children learn to live in a changing world.

We want to take part in the development of the Yukon and Canada, not stop it. But we can only participate as Indians. We will not sell our heritage for a quick buck or a temporary job.

There must be a system set up where the Indian people have some control over the programs that affect us. This control must not be just in the administration of the program but in the planning. If the idea behind the program is wrong then we are wasting money, and people, trying to make it work.

The Government of Canada has accepted the principle of the multi-cultural society. This can become the first "ray of hope" for the Indian people of Canada. The Government still has to put this idea into practice. We are now giving you a chance to do so.

Many of our Communities are completely undeveloped. There is unemployment, sickness, poor housing, poor sanitation, little or no social or recreational activities; there are school dropouts, people in jail, children sent away to hostels, etc. These Communities are not only undeveloped, they are sick. It is the general health of the Community which we are concerned about. The spiritual health, the economic health and the social health.

We have been told that one of our biggest problems with getting the Government to accept this Settlement is that we "are not credible". This is supposed to mean that we cannot be trusted with responsibility. We have heard this for a long time now, and we are fed up hearing this. We now demand a chance to prove you wrong.

Many successful companies and corporations are controlled by people who are not experts. They hire experts. Even the Government sometimes hires experts to advise them. The people in control have to separate good advice from bad advice, then make the right decisions. This we can do.

We need expert help and guidance with the implementation of this Settlement. Implementation means we will have to set up the organizations to look after the land, money and programs that will be part of this Settlement. It also means we will have to find people who will put on many kinds of training courses. The success or failure of this Settlement will depend on how it is implemented. Some people say we should wait until we are better educated. We have waited one hundred years, and our problems are getting worse, not better. The first five years of implementation will tell if this Settlement will be able to do for our children what we plan it to do.

We now demand the right to plan our future. This is the same right that the White people in the Yukon have had for the last one hundred years.

We have been accused of opposing the development of the North. If you are able to understand our paper, you will learn that we are a strong supporter of development.

This final and total settlement of all grievances is conclusive and is in place of many hundred individual claims which have not been dealt with by the Government of Canada.

The purpose of this Settlement is to enable the Indian people in the Yukon to live and work together on equal terms with the Whiteman. The method proposed to bring about this situation is to produce an economic base from which the Indians can compete.

This means that the Indian people will own land and have financial resources to develop that land for the benefit of the people living on that land.

The corner stone of the Settlement is land. But money is necessary for us to develop an economic base from that land. It will be of only temporary help, though hopefully it will be enough to produce the economic base from which the Indian people may develop in harmony with the White society in the years ahead.

This Settlement will not affect or do away with the right of the Yukon Indian people to all programs, benefits and responsibilities which we are entitled to as Canadian Citizens.

Indian persons who live on lands set aside as Indian lands under this Settlement shall not have to pay Income Tax on any money earned on these lands for a period of twenty-five years from the date of the Settlement.

The Government of Canada will continue to pay all the costs of Health Services (including Medicare) for all persons eligible under this Settlement for a period of twenty-five years from the date of the Settlement.

It is planned that as soon as we are able, we will assist in the transfer of the Indian Affairs Programs that are administered by the Regional Office in Whitehorse.

The qualifications for participation are effective on the date of Settlement and include all future descendants in perpetuity. Those who will be eligible to participate in the Settlement:

- (a) Must be of Yukon Indian ancestry. (Must be able to trace his ancestry to a Yukon Indian who was resident in Yukon before January 1, 1941), and
- (b) Must be at least twenty-five percent Indian blood, and
- (c) Must be enrolled as a Yukon Indian by the local enumeration committee established by individual Communities.

It is proposed that the land selected by the Indian people will be held by the Queen in perpetuity for the use of both present and future generations. After the land is selected and set aside for the Indian people, a municipality will be set up under the Yukon Territory Municipal Ordinance.

There must be provision for additional Urban Corporations to allow for participation in some of the benefits of the Settlement by those who migrate to White centres.

Without land Indian people have no Soul - no Life - no Identity - no Purpose. Control of our own Land is necessary for our Cultural and Economic Survival. For Yukon Indian People to join in the Social and Economic life of Yukon, we must have specific rights to lands and natural resources that will be enough for both our present and future needs.

Any lease of Indian land to non-Indians must be for a period of up to but not more than twenty-five years.

We require a temporary land freeze on all unoccupied, unalienated Crown Lands to allow enough time for selection, survey and transfer of control to the Yukon Indian people.

All legal and survey costs related to land selection must be paid by the Government of Canada.

After lands have been turned over to the Indian people, we must have representation on all Yukon Land Development or Control Agencies, Boards, or Offices. This is to make sure that land policies will be planned to protect the interests of the Indian people.

We require control of waters within the borders of Lands received under this Settlement. Compensation must be paid for any damage to these waters.

We must have right of access to all rivers, streams, and lakes which are a part of Indian lands. We must have access to all waters for hunting, fishing and trapping purposes.

If our lands are expropriated by the Government - the Community affected must have the right to select additional land for compensation.

We are not asking you to give us back our land, we are asking you to let us keep and develop some of our land.

We do not lay any claim to Herschel Island or the lands drained by streams running north into the Arctic Ocean. This land was traditionally occupied and used by the Eskimo people. However, we remind the Government of Canada that these lands are the calving grounds of our Caribou. Any damage to the Caribou will cause us to take legal action against the Government. The protection of the Caribou must be part of any Yukon Settlement. We know what happened to the Buffalo and we will not let this happen to the Caribou.

The amount of land required will be identified and used for the following:

1. Indian Burial Grounds and Cemeteries.
2. Historical and Traditional Village Sites, Fish Camps, etc.
3. Location of Center of Population and Service for Municipalities.
4. Areas selected for Economic Development Purposes.
5. Trapping, Hunting and Fishing Cabin sites.

We require the right to hunt and fish for our own food on all lands. We also require the right to trap on these lands.

Most commercial hunting rights in the Yukon have been given to Whitemen. We request fifteen percent of all revenue collected by the Federal and Territorial Governments from this industry. This industry is of great importance to us and we are greatly concerned about its management.

All hunting and fishing on Indian lands must be restricted to Indian people. The Indian people must also have exclusive timber rights on all these lands.

The hardest part of this Settlement is for us to give up so much of our land. Even though our rights to much of the land have been taken away, we still think of the Yukon as OUR LAND.

Royalty payments must be made in perpetuity because that is the period of time that we are giving up our rights for.

A percentage of the gross value of all gas, oil and mineral production must be paid to the Yukon Indian General Council each year.

We require a royalty payment based on all revenue received by the Federal and Territorial Government based on wood and forest production.

The payment of monies based on resource production is the only fair way by which we can participate in the development of the Yukon, and really share in that development. It will then be in our best interest to encourage development.

We are trying to decide how our children and their children can have a better life.

We are saying that we deserve a cash settlement for all our past grievances and for the rights that have been taken away over the past one hundred years. We are saying that we should be compensated for having been left out of the Yukon's prosperity - the highest in Canada.

We will not waste this money. It will be invested in our children's future. It will not go to individuals, but to organizations which we will set up for a program of human and community development. The purpose of this program will be to raise our standard of living and allow us to participate as equals in the development of Yukon and Canada.

We are asking that you agree with us on a quick Settlement to avoid a long fight in the Courts and in Parliament. Every day that is lost, the suffering of our people grows. Every day that is lost, the economic and social distance between our people and yours increases.

The money received under this Settlement will improve the business and the economy of the Yukon and of Canada.

If the Government of Canada meets our land and royalty demands, we will require a Cash Settlement over forty years with interest annually. The amount must be large enough to meet the needs that are identified in this paper, and large enough to compensate for the losses we have suffered in the past.

We ask the Government to immediately set up a Negotiating Committee who will study this paper and draw up the framework for the necessary legislation.

The Yukon Native Brotherhood must be provided with funds from the date of the termination of our Contract with the Indian Claims Commissioner until the first Settlement funds are received.

These funds are necessary for the Yukon Native Brotherhood to continue the present program of preparation for Settlement Implementation and program take-over. These funds are also necessary to carry on negotiations for Settlement.

Only by an immediate Settlement of all our grievances can the Yukon Indian people obtain Social and Economic Equality with our fellow Yukoners. It will be of benefit to all Canadians when we achieve this equality.

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Together today for our children
tomorrow: a summary of the Land
Claims Position Paper of the
Yukon Native Brotherhood.

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